



DEBRA BOWEN | SECRETARY OF STATE
STATE OF CALIFORNIA | ELECTIONS

1500 11th Street, 5th Floor | Sacramento, CA 95814 | Tel (916) 657-2166 | Fax (916) 653-3214 | www.sos.ca.gov

September 25, 2008

County Clerk/Registrar of Voters (CC/ROV) Memorandum #08284

TO: All County Clerks/Registrars of Voters

FR: *Catherine Ingram-Kelly*
Catherine Ingram-Kelly, CalVoter Administration

RE: November General: Social Security Administration Database Shutdown

As Secretary Bowen mentioned on the September 18 conference call, the Social Security Administration (SSA) plans to shutdown access to its database from Friday, October 10 at 9:01 p.m. until Monday, October 13 at 2:00 a.m.

As you are aware, the Help America Vote Act of 2002 (HAVA) requires states to verify partial social security numbers (SSN) provided on voter registration affidavits against the SSA database. In California, the SSA verification process is necessary only for voter registrants who provide a partial SSN and for whom no current, valid California driver's license number or California identification number is found in the Department of Motor Vehicle (DMV) database. The DMV database will continue to be available for voter registration data verification during the SSA shutdown.

Given the timing of the SSA's planned shutdown and how it could impact the ability of counties to register voters, the Secretary of State has asked the SSA to defer its system maintenance until December, after the election and canvass periods are completed. If the SSA agrees, we will let you know as soon as possible.

I am attaching copies of letters Secretary Bowen, U.S. Senator Dianne Feinstein, and Election Assistance Commission Chairwoman Rosemary Rodriguez have sent to the SSA, asking it to delay its planned database shutdown.

If you have any questions regarding this matter, please feel free to contact the CalVoter Helpline at (888)VOTECAL (888-868-3225).

Thank you.

Attachments



DEBRA BOWEN | SECRETARY OF STATE | STATE OF CALIFORNIA

1500 11th Street, 6th Floor | Sacramento, CA 95814 | Tel (916) 653-7244 | Fax (916) 653-4620 | www.sos.ca.gov

September 24, 2008

Mr. Michael J. Astrue, Commissioner
Social Security Administration
6401 Security Boulevard, #900
Baltimore, MD 21235

Dear Commissioner Astrue:

I respectfully request that you defer the Social Security Administration's (SSA) database system maintenance, currently scheduled to take place on the weekend of October 10-12, 2008, until after the November 4, 2008, General Election.

California's voter registration deadline is October 20, 2008, and my office is already receiving more than 4,000 new voter registrations each day – a figure that does not include the voter registrations each of California's 58 counties receives directly – and the registration deadline is still over three weeks away. In past elections, the number of new voter registrations has risen dramatically each week leading up to the registration deadline, and I expect a similar increase in volume the closer we get to the November election. Forty other states have a close of registration on or after October 6, 2008, and will likely be experiencing a similar wave of new voter registrations as their deadlines draw near.

As you know, the Help America Vote Act (HAVA) requires states to verify new voter registrations by running a check against the Social Security Administration database whenever an applicant provides a partial social security number (SSN) instead of a driver's license or state identification number. In California, registrations are accepted even if no SSN match is found; however, other states handle this problem in different ways.

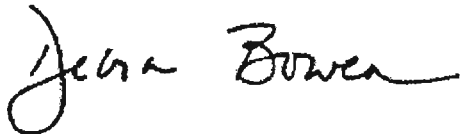
I am certain that given the non-election demands placed on the SSA database on a daily basis, the utmost care is being taken to ensure that the system will come back up immediately. However, shutting down the SSA database when the number of new voter registrations is peaking in California and other states may cause delays in processing voter registrations and may cause unforeseen problems in system operations at the state level. Of even greater concern is the potential that the database does not come back up as expected on October 12, 2008. While the chance of this occurring may be extremely remote, I strongly believe that given the projected record number of voters who are anticipated to register for this election, we should eliminate every potential risk that we know about in advance of the election.

Commissioner Michael J. Astrue
September 24, 2008
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That is why I urge you to postpone the SSA database system maintenance until December when all ballots have been counted – including provisional ballots cast pending verification of registration – and the election results have been certified.

Please feel free to contact me, or you may contact Chris Reynolds, Deputy Secretary of State, HAVA Activities, at (916) 653-7244, if you have questions or need further information. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Debra Bowen". The signature is fluid and cursive, with the first name "Debra" and last name "Bowen" clearly legible.

Debra Bowen
Secretary of State

DB:elg:jb/cr

cc: The Honorable Dianne Feinstein, Chairwoman
U.S. Senate Committee on Rules & Administration
The Honorable Barbara Boxer, U.S. Senator
The Honorable Pedro Cortes, President
National Association of Secretaries of State
Rosemary Rodriguez, Chairwoman
Election Assistance Commission

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United States Senate

COMMITTEE ON
RULES AND ADMINISTRATION
WASHINGTON, DC 20510-6325

September 23, 2008

Mr. Michael J. Astrue
Commissioner
Social Security Administration
6401 Security Boulevard, #900
Baltimore, MD 21235

Dear Commissioner Astrue:

I am writing to request that the Social Security Administration postpone maintenance of the SSN database until after the November 4, 2008 election, so that California and a number of other states will experience no delay in processing new voter registrations.

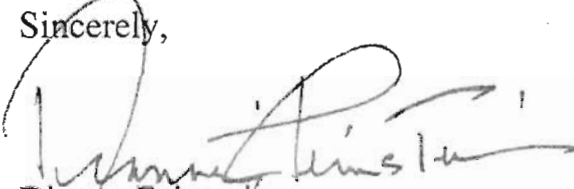
California Secretary of State Debra Bowen recently contacted my office regarding a potential problem that was raised by election officials in our state. Under the Help America Vote Act, in the case of states which are permitted to use the entire or the last four digits of a social security numbers (SSN) for voter registration purposes, each state is required to check the SSN, in whole or in part as provided by the applicant, against the Social Security Administration's database prior to finalizing the registration. If the match isn't done, the individual cannot be placed on the registration list, if prohibited by state law.

I understand that the Social Security Administration is planning to take the SSN database off-line for routine maintenance from Friday, October 10 to Monday, October 13, 2008. While that may be a short length of time, there is concern that this may cause a delay in processing new registrations. The close of voter registration in California is just one week later. Apparently, eleven other states will experience a similar problem.

With millions of newly registered voters, and many more registering to vote every day, state and local election registrars are working seven days a week to get new voters on the list. The days when the SSN database is scheduled to be off-line are critical.

I appreciate any assistance your office can provide so there will be no obstacles to processing new voter registrations for this historic election.

Sincerely,



Dianne Feinstein
Chairman



U.S. ELECTION ASSISTANCE COMMISSION
1225 NEW YORK AVENUE, N.W., SUITE 1100
WASHINGTON, D.C. 20005

OFFICE OF THE CHAIR

Commissioner Michael J. Astrue
Social Security Administration
440 Altmeyer Building,
6401 Security Boulevard
Baltimore, MD 21235

Via Facsimile 410-966-9973

September 19, 2008

Dear Commissioner Astrue:

We were recently notified that the Social Security Administration (SSA) has scheduled its National Computer Center Annual Building Shutdown October 10 – 13, 2008 and that online system services will be shut down during this time. I urge the SSA to reconsider the date of its annual shutdown.

Forty-one (41) states have voter registration deadlines between October 6 and October 20. Historically, states experience high levels of activity as registration deadlines approach. The loss of access to SSA's online system means election officials will not be able to compare social security information, as required by the Help America Vote Act (HAVA), and may prevent them from processing these registration applications. In some states, the inability to compare new registrants to SSA's database may result in voters having to produce additional identification information on Election Day or having to cast provisional ballots.

As we approach the November 4th election, Americans are registering to vote in record numbers, and it is important that election officials are given the tools and support to process these applications. Election officials are working hard to keep up, and they cannot spare even one weekend without access to SSA's online system, especially at this crucial time.

I understand that SSA has a mission to accomplish, but given the important role that SSA has been entrusted with under HAVA, I just want to make sure the agency is aware that the timing of its annual shutdown may have consequences on the voter registration process.

Thank you for your consideration in this matter, and we stand ready to assist the SSA to make sure that the voter registration process is not impacted by this situation. Please contact me if you have questions or need more information.

Sincerely,

Rosemary E. Rodriguez
Chair
U.S. Election Assistance Commission